

MANDATE

**United States Court of Appeals
For the First Circuit**

04-11520
USDC MA
Zobel, J.

No. 05-1228

NEAL A. COWE,
Plaintiff, Appellant,
v.
LYNCH, BREWER, HOFFMAN AND SANDS,
A/K/A LYNCH, BREWER, HOFFMAN & FINK, ET AL.,
Defendants, Appellees.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Before

Richard Cushing Donovan, Clerk Torruella, Lipez and Howard,
Deputy Clerk Circuit Judges.

Date: 5/20/05

JUDGMENT

Entered: March 31, 2005

This appeal is dismissed for lack of jurisdiction because no notice of appeal was filed within 30 days of entry of the judgment of dismissal. Budinich v. Becton Dickinson & Co., 486 U.S. 196, 203 (1988) ("the taking of an appeal within the prescribed time is mandatory and jurisdictional").

Dismissed.

By the Court:
Richard Cushing Donovan, Clerk.

MARGARET CARTER

By: _____
Chief Deputy Clerk.

[cc:Neal A. Cowe, Alan R. Hoffman, Esq., Bruce T. MacDonald, Esq., Myles W. McDonough, Esq., Paul E. Mitchell, Esq., Miriam Hayes Gordon, Esq., Sarah M. Joss, Esq.]